

Turkey censured yet again by Council of Europe



Photo: Council of Europe

•European eye... Council of Europe Rapporteur on Cyprus, Andras Barsony.

The Council of Europe's Committee of Ministers and Parliamentary Assembly in late January both demanded that Turkey should honour its membership obligations by implementing the rulings of the European Court of Human Rights (ECHR) in the Titina Loizidou property case. The Assembly also adopted an extensive resolution on the Cyprus problem which was regarded as "positive" by the Government of Cyprus.

The Committee of Minister's decision on 16 January was its fourth on the Loizidou case since the ECHR ruled in 1997 that she had been illegally deprived of enjoyment of her property in Kyrenia by the Turkish occupation forces. It reiterated "the fundamental importance it attaches to member states respecting their obligations under the European Convention of Human Rights and in particular their obligation to abide by the judgements of the ECHR".

The Parliamentary Assembly's resolution on 22 January, adopted on the basis of a report by Cyprus Rapporteur Andras Barsony (Hungary), asserted that the Cyprus problem "remains one of the most sensitive in Europe and most difficult to resolve". It therefore welcomed the fact that after a long period of deadlock "the leaders of both communities

have accepted the invitation of the UN Secretary General to participate without preconditions in the UN resumed talks in order to achieve an overall settlement on the basis of the UN resolutions". It urged the Secretary General "to intensify his efforts aimed at seeking a political solution based on bizonal and bicomunal structures".

The resolution called on the Turkish Cypriot side "to adopt a more positive attitude towards the European Union and inform the public accordingly about the potential benefits membership can bring". It demanded in particular that Turkey should "refrain from launching threats against the Republic of Cyprus in connection with the accession of Cyprus to the EU prior to a political settlement". It also called for the removal of restrictions on individual contacts between people living in Cyprus "and any other obstacles in the way of reconciliation, including contacts between political parties".

●Government Spokesman Michalis Papapetrou on 25 January welcomed the Assembly resolution's acceptance of "the two central axes" of Cyprus' policy, namely the search for a political settlement based on UN resolutions and speedy accession to the EU whether or not a settlement was found.□

Difficult contacts

The resumption of talks on the Cyprus problem (see page 1) stimulated a new burst of intercommunal contacts between Greek Cypriot and Turkish Cypriot political parties in support of a comprehensive settlement. Regrettably, however, the Turkish Cypriot "authorities" continued to block attempted contacts between business and trade union representatives of the two communities.

In addition to a series of bilateral meetings between specific parties, a further session in the multiparty process promoted by the Slovak embassy in Nicosia took place on 14 January at the Ledra Palace Hotel in the UN buffer zone in the capital. Attended by leaders of the Greek Cypriot AKEL Party and the United Democrats and of the Turkish Cypriot Republican Turkish Party, the meeting expressed the hope that the talks would produce a settlement. The participants also deplored the action of the Turkish Cypriot "authorities" in preventing a delegation of the Cyprus Chamber of Industry and Commerce from crossing into the occupied area to meet Turkish Cypriot counterparts.

●Also blocked by the occupation regime was Turkish Cypriot participation in a meeting of the All Cyprus Trade Union Forum planned for 8 January in the Government-controlled area. Linking three Greek Cypriot and three Turkish Cypriot union federations, the Forum declared its intention to seek international backing for freedom of movement in Cyprus.□

E-Minder project

Communications and Works Minister Averof Neophytou on 22 January announced Cyprus' participation in the Electronic Commerce Leveraging Network for Developing European Regions (E-Minder), which aims to promote electronic commerce in prospective new EU member states and to bridge the gap between least and more developed European regions. Mr Neophytou recommended that legislation should be tabled to make electronic signatures valid and electronic exchanges legal.□

EU promises aid after accession

A total of 216 million euros has been allocated by the European Union (EU) for post-reunification reconstruction of the area of Cyprus currently under Turkish occupation, according to details of post-accession financial aid for new EU members in 2004-06 published by the Commission on 30 January.

The paragraph on northern Cyprus in the plans reads: "The EU is actively encouraging the parties involved to resolve the Cyprus problem and to come to a political settlement. As the Berlin financial framework [agreed in June 1999] did not fully take into account the northern part of Cyprus, the Commission proposes to adjust the framework in the context of a political settlement. In addition, despite being one of the poorest regions within the candidate countries, the northern part is not a beneficiary of the pre-accession funds. The total amounts foreseen in commitments for the northern part of Cyprus are E39 million in 2004, E67 million in 2005 and E100 million in 2006."

The availability EU financial aid for post-reunification reconstruction had been highlighted on 29 January by Chief EU Negotiator George Vassiliou, who confirmed that Cyprus had applied for such funding. He said that "the EU is sending the explicit message that it wants Cyprus to be reunited and expressing its readiness to contribute in a substantive way to that end".

●Foreign Minister Ioannis Kasoulides stressed on 30 January that post-settlement EU reconstruction funds for the north would be channelled through the bicomunal Government created under a settlement and would not go directly to the Turkish Cypriots.

Green light for EU accession

Turkey's contention that Cyprus' accession to the European Union (EU) would be "illegal" under present circumstances has been categorically rejected in a unanimous further legal opinion by three eminent international jurists forwarded to the United Nations by the Government of Cyprus.

Published on 8 January, the opinion was

drawn up by Prof. James Crawford of Cambridge University, Prof. Gerhard Hafner of Vienna University and Prof. Alain Pellet of Paris-X University, who in September 1997 had advised that there was no barrier under international law to Cyprus joining the EU. Their confirmatory opinion was given in response to a contrary opinion drawn up by London QC Maurice Mendelson at the request of the Turkish Government and circulated at the UN in October 2001.

The conclusion of the three jurists was that they "remain firmly of the opinion that there is no legal basis for the argument that Cyprus is prevented by the Treaty of Guarantee or by any provisions of the Constitution of 1960 from becoming a member of the EU or from complying with its treaty obligations towards Turkey once it becomes a member".□

Link: www.cyprus-eu.org.cy

Cyprus-EU Negotiations (three languages)



•Reconstruction needed mostly for Northern areas... EU aid will be available.